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AND PROCEEDINGS BEFORE  
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June 27, 2001

Commissioner for Patents  
Washington, D.C. 20231

Group Art Unit 1646

Re: U.S. Utility Patent Application  
Appl. No. 09/688,371; Filed: October 12, 2000  
For: **Recombinant, Replication Defective CELO Virus and  
CELO Virus DNA**  
Inventors: Cotten *et al.*  
Our Ref: 0652.2150001/EKS/PAJ

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement (*in duplicate*);
2. One page of Form PTO-1449 citing one reference document; and
3. One copy of cited reference document AR29.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Commissioner for Patents  
June 27, 2001  
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Peter A. Jackman  
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PAJ:mlb:aye  
Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10  
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JUN 28 2001

In re application of:

Cotten *et al.*

Appl. No. 09/688,371

Filed: October 12, 2000

For: **Recombinant, Replication Defective  
CELO Virus and CELO Virus DNA**

Confirmation No.: 5877

Art Unit: 1646

Examiner: *To be assigned*

Atty. Docket: 0652.2150001/EKS/PAJ

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### First Supplemental Information Disclosure Statement

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of this document is provided. The numbering of documents in this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement, filed January 18, 2001, submitted in connection with the above-captioned application.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 and indicate in the official file wrapper of this patent application that the document has been considered.

This First Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: June 27, 2001

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